

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

JUAN THOMPSON,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 2:15-cv-01139 JLR JRC

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration (Dkt. 16).

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the

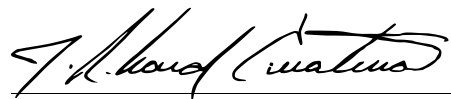
1 Acting Commissioner for further administrative proceedings pursuant to sentence four of 42  
2 U.S.C. § 405(g).

3 On remand, the Administrative Law Judge should be directed to update the record, offer  
4 plaintiff a *de novo* hearing, and consider or reconsider the evidence in the updated record as a  
5 whole, including evidence provided by treating, examining, acceptable and other medical  
6 sources. In light of the foregoing, the ALJ should reconsider plaintiff's credibility. If necessary,  
7 the ALJ should reassess plaintiff's residual functional capacity and obtain supplemental  
8 vocational expert testimony. The ALJ should issue a new decision.

9 Plaintiff should be entitled to reasonable attorney fees and costs pursuant to the Equal  
10 Access to Justice Act, 28 U.S.C. § 2412(d), following proper request to the Court.

11 Given the facts and the parties' stipulation, the Court recommends that the District Judge  
12 immediately approve this Report and Recommendation and order that the case be **REVERSED**  
13 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

14 Dated this 17th day of December, 2015.

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17 J. Richard Creatura  
18 United States Magistrate Judge  
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